

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN M. CONSTANTINI,)	
on his own behalf and as administrator)	
of the estate of CHERYL A. CONSTANTINI,)	
)	C.A. No. 05-680GMS
Plaintiff,)	
)	
v.)	
)	
OPTIMUM CHOICE, INC.)	
)	
Defendant.)	

PLAINTIFF JOHN M. CONSTANTINI'S INITIAL DISCLOSURES

Plaintiff John M. Constantini makes these initial disclosures pursuant to Fed. R. Civ. P. 26(a), based on the information reasonably available to him at this time.

**A. Individuals Likely to Have Discoverable Information
That Mr. Constantini May Use to Support His Claims**

John M. Constantini
1191 Corner Ketch Road
Newark, DE 19711

Mr. Constantini is likely to have information regarding all aspects of his claims, including the late Mrs. Constantini's medical history, defendant Optimum Choice, Inc.'s claims handling, and the claim for damages.

Waleed S. W. Shalaby, M.D.
4071 Ogletown-Stanton Road
Newark, DE 19713
(302)623-4500

Guido J. Tricot, M.D., Ph.D.
Arkansas Cancer Research Center
4301 W. Markham Street, No. 623
Little Rock, AR 72205
(501)686-6000

Diane Coniglio, M.D.
3301 Lancaster Pike, Ste. 9
Wilmington, DE 19805
(302)656-2069

Robert L. Hickock, Jr., M.D.
550 Stanton Christiana Road
Newark, DE 19801
(302)691-0350

Gregory W. DeMeo, D.O.
550 Stanton Christiana Road
Newark, DE 19801
(302)691-0350

Christopher J. Whitney, M.D.
410 Foulk Road, Ste. 200A
Wilmington, DE 19803
(302)764-2380

The listed physicians are likely to have information regarding the late Mrs. Constantini's medical history.

Amy Luther-Rockwell
Case Manager
MAMSI
11 Taft Court
Rockville, MD 20850

Lisa Rannals
Director, Customer Support
MAMSI
4 Taft Court
Rockville, MD 20850
(301)360-8115

Barbara Engram, R.N.
Appeals Nurse
MAMSI
4 Taft Court
Rockville, MD 20850

Christie Tyler
Senior Appeals Coordinator, Customer Support Group Appeals
MAMSI
P.O. Box 933
Frederick, MD 21705-0933

Deborah Spruell
Customer Support
Optimum Choice, Inc.
800 Oak Street
Frederick, MD 21705
(302)360-8120

Michael Rosnick, M.D.
Optimum Choice, Inc.
4 Taft Court
Rockville, MD 20850

Ms. Luther-Rockwell, Ms. Rannals, Ms. Engram, Ms. Tyler, Ms. Spruell and Dr. Rosnick are likely to have information regarding defendant Optimum Choice, Inc's. claims handling.

In addition, Mr. Constantini states that one or more representatives of the University Hospital of Arkansas, 4301 W. Markham Street, Little Rock, AR 72205 are likely to have discoverable information regarding the late Mrs. Constantini's medical history and Mr. Constantini's damages claim.

B. Documents that Mr. Constantini May Use to Support His Claims

Mr. Constantini refers defendant Optimum Choice, Inc. to document nos. JMC1-2948, produced simultaneously herewith.

C. Computation of Damages

Mr. Constantini's claim for compensatory damages is a function of the dollar amount charged to him, and/or to the estate of Cheryl A. Constantini, with respect to those certain hospital and medical services rendered during the late Mrs. Constantini's hospitalization at the University Hospital of Arkansas during the period from September 30, 2004 through November

17, 2004 (the date of her death). Mr. Constantini seeks recovery here, however, only of those charges not incurred on account of the late Mrs. Constantini's (aborted) stem cell transplantation therapy. On information and belief, the resulting claim for compensatory damages totals approximately \$881,968.63, as calculated from the related medical bills (copies of which are being produced simultaneously herewith).

D. Insurance Agreements That May Be Liable to Satisfy a Judgment

Mr. Constantini identifies "Group Agreement" No. M35208 issued by defendant Optimum Choice, Inc. to Jack's Country Maid Deli for the renewal period of May 1, 2004 through April 30, 2005. Mr. Constantini further states, on information and belief, that defendant Optimum Choice, Inc. is likely to be insured under one or more contracts of reinsurance that may be liable to satisfy any judgment obtained herein.

Mr. Constantini reserves the right to supplement or amend these disclosures as appropriate.

Respectfully submitted,

MURPHY SPADARO & LANDON

/s/ John S. Spadaro

John S. Spadaro, No. 3155
1011 Centre Road, Suite 210
Wilmington, DE 19805
(302) 472-8100

Attorneys for plaintiff John M. Constantini,
on his own behalf and as administrator of the estate
of Cheryl A. Constantini

December 20, 2005

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NOTICE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

Maryanne T. Donaghy, Esq.
Stradley Ronon Stevens & Young, LLP
300 Delaware Avenue, Suite 800
P.O. Box 2170
Wilmington, DE 19899-2170

In addition, I certify that the document itself was served by hand delivery at the address shown.

Respectfully submitted,

MURPHY SPADARO & LANDON

/s/ John S. Spadaro
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